

Vincent S. Cimini, Esq.  
PA#60463  
Sal Cagnetti, Jr., Esq.  
PA#17269  
FOLEY, COGNETTI, COMERFORD,  
CIMINI & CUMMINS  
507 Linden St.  
700 Electric Bldg.  
Scranton, PA 18503  
346-0745

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOHN DOE, JOHN DOE, SR. and	:	
JANE DOE,	:	
Plaintiffs	:	
	:	
vs.	:	
	:	
FATHER ERIC ENSEY, FATHER CARLOS	:	
URRUTIGOITY, DIOCESE OF SCRANTON,	:	DOCKET NO. 3:CV-02-0444
BISHOP JAMES C. TIMLIN, THE	:	
SOCIETY OF ST. JOHN, THE PRIESTLY	:	
FRATERNITY OF ST. PETER, and	:	
ST. GREGORY'S ACADEMY,	:	(JOHN E. JONES, III)
Defendants	:	

\*\*\*\*\*  
\*

STATEMENT OF MATERIAL FACTS OF DEFENDANTS  
FATHER ERIC ENSEY, FATHER CARLOS URRUTIGOITY AND  
THE SOCIETY OF ST. JOHN SUBMITTED IN SUPPORT OF  
THEIR MOTION FOR SUMMARY JUDGMENT  
(Electronically Filed)

1. Plaintiffs, John Doe, John Doe, Sr. and Jane Doe, filed this action on March 20, 2002.
2. Plaintiff John Doe was born on May 16, 1981.
3. Plaintiff John Doe attained the age of majority on May 16, 1999.

4. Plaintiff John Doe alleges that the Defendant Father Eric Ensey sexually assaulted him on occasions between May of 1998 and May of 1999 while he was a student at St. Gregory's Academy, a Catholic boarding school operated by the Defendant, the Priestly Fraternity of St. Peter, in Elmhurst, Pennsylvania.

5. Plaintiff John Doe alleges that the Defendants Father Eric Ensey, Father Carlos Urrutigoity each separately sexually assaulted him on two or three occasions in September or October of 2000 while Plaintiff was at the Society of St. John's residence in Shohola, Pike County, Pennsylvania.

6. Plaintiffs do not allege that the Plaintiff parents were present during any of the incidents of alleged sexual abuse.

Respectfully submitted,

FOLEY, COGNETTI, COMERFORD,  
CIMINI & CUMMINS

BY: \_\_\_\_\_  
VINCENT S. CIMINI, ESQ.  
SAL COGNETTI, JR., ESQ.  
ATTORNEYS FOR DEFENDANTS  
FATHER ERIC ENSEY, FATHER  
CARLOS URRUTIGOITY AND  
SOCIETY OF ST. JOHN

DATE: June 4, 2004

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing STATEMENT OF MATERIAL FACTS OF DEFENDANTS FATHER ERIC ENSEY, FATHER CARLOS URRUTIGOITY AND THE SOCIETY OF ST. JOHN SUBMITTED IN SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT was served upon counsel of record herein by first class, United States mail, postage prepaid, on the 4th day of June, 2004 in the instant action addressed as follows:

James Bendell, Esq.  
P. O. Box 587  
2535 Ivy Street  
Port Townsend, WA 98368

Harry T. Coleman, Esq.  
148 Adams Avenue  
Scranton, PA 18503  
(Co-Counsel for Plaintiffs)

Joseph O'Brien, Esq.  
OLIVER, PRICE & RHOADES  
1212 S. Abington Road  
P. O. Box 240  
Clarks Summit, PA 18411  
And

James O'Brien, Esq.  
538 Spruce Street, Suite 504  
Scranton, PA 18503  
(Both are counsel for  
Diocese of Scranton  
And  
Bishop James C. Timlin)

Joseph F. Leeson, Jr., Esq.  
LEESON & LEESON  
70 East Broad Street  
P. O. Box 1426  
Bethlehem, PA 18016  
(Counsel for Priestly Fraternity of Saint Peter  
and Saint Gregory's Academy)

FOLEY, COGNETTI, COMERFORD  
& CIMINI

BY: \_\_\_\_\_  
VINCENT S. CIMINI, ESQ.

